

Remarks

Request for Reconsideration

Applicants have carefully considered the matters raised by Examiner in the outstanding Office Action, but remain of the position that patentable subject matter is present. Applicants respectfully request reconsideration of Examiner's position based on the amendments to the claims and the following remarks.

Claim Status

Claims 1-4, 6-11, 13-24 are pending. Claims 5 and 12 have been withdrawn.

Claim Rejections – 35 U.S.C. § 112, second paragraph

Claims 4 and 21 had been rejected as being indefinite for failing to particularly point and distinctively claim the subject matter which applicant regards as the invention. Specifically, Examiner notes it is unclear in claim 4, which includes the language “a first radial fin” and “a second radial fin,” if applicant is trying to claim the same two fins of claim 1 or four radial fins. Moreover, regarding claim 21, Examiner questions how one can claim a second collection channel, when there is no first collection channel.

Claim 4 has been amended herein and is now deemed clear. In claim 4, Applicant is referring to the first and second radial fins as claimed in claim 1.

Regarding claim 21, Applicant respectfully disagrees with Examiner. A first collection channel is claimed in claim 12 and a second collection channel is claimed in

claim 13. Claim 21 relates to claim 15, which relates to claim 14, which in turn relates to claim 13. Thus, first and second collection channels are claimed and a second collection channel is properly claimed in claim 21.

Claim Rejections

Claim 1 had been rejected under 35 U.S.C. § 102 (b) as being anticipated by Judge (U.S. Patent 3,741,614) OR Skumawitz *et al.* (U.S. Patent Publication 20040119238).

Claim 1 has been amended herein. Judge does not disclose all of the features of the present invention. Furthermore, Judge does not utilize the same flow path of the present invention. Even assuming Judge's flow path is the same as the present invention, there is no exit beyond the fins in Judge. The "portion" (19) of "ring" (18) in Judge is seated on an unnamed component. Moreover, the same unnamed component is fixed adjacent to the "abutment ring" (13) that contains fins. Thus, according to the figures, Judge cannot accommodate an exit for its flow path.

Skumawitz does not anticipate the present invention. The deflector rings in Skumawitz are the inverse of the deflector rings in the present invention. The labyrinth seal of Skumawitz is comprised of an interior component, or first deflector ring, which is attached to the shaft and contains both smooth portions and jagged "throw-off rings" strategically placed and an exterior component, or second deflector ring, containing multiple U-shaped cutouts.

Examiner notes later in his response that it would have been obvious to one skilled in the art to change the orientation of the deflector rings since changing the orientation would be considered art equivalent. However, respectfully, it would not be obvious to one skilled in the art to simply reverse the orientation of the deflector rings. Reversing the deflector rings in Skumawitz is not an option without extensive redesign. If the deflector rings were reversed, the flow path and characteristics of Skumawitz would be altered, creating a configuration clearly not intended by Skumawitz. Thus, Skumawitz does not anticipate the present invention.

Claims 1, 22, and 23-24 had been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hubbard *et al.* (U.S. Patent 5,975,533) in view of Skumawitz ('238).

As discussed above, claim 1 is distinguishable over Skumawitz. Therefore, it is submitted that claims 1, 22, and 23-24 are patentable over Skumawitz and Hubbard taken alone or in combination.

Claims 2-4, 6-9, and 11-21 had been rejected under 35 U.S.C. § 103(a) as being unpatentable over Skumawitz in view of Sweeney (U.S. Patent 4,586,717).

Applicants respectfully disagree. As discussed above, claim 1 is distinguishable over Skumawitz and, therefore, the present invention is patentable over Skumawitz independently or in combination with Sweeney.

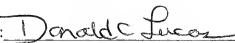
In view of the forgoing, it is submitted that the claims are patentable over the cited references taken alone or in combination

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account No. 02-2275.

Respectfully submitted,

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